

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

NILO NOREIGA-MILIAN,)	CASE NO. 7:14CV00533
)	
Petitioner,)	
v.)	MEMORANDUM OPINION
)	
)	
CHRISTOPHER ZYCH, WARDEN,)	By: Norman K. Moon
)	United States District Judge
Respondent.)	

Petitioner Nilo Noreiga-Milian, a federal inmate confined within this district, filed a *pro se* pleading and attachments that the court construed and conditionally filed as a writ of habeas corpus, pursuant to 28 U.S.C. § 2241. To verify this construction and obtain information necessary to such a petition, the court directed Noreiga-Milian to complete and submit a § 2241 form. While Noreiga-Milian has now completed and submitted such a form, neither the form nor his initial submission states the legal or factual basis of the habeas claim he wishes to bring before this court. On the form, the section for “claims” is completely blank. Neither the court nor the respondent can be expected to construct his claims for him from the attachments to the petition.

Based on the foregoing, I conclude that the petition must be summarily dismissed without prejudice. Such a dismissal will leave Noreiga-Milian free to refile his claims in new petition if he so desires, provided that he makes a plain statement of the claim(s) he intends to pursue and the facts in support of the claim(s).

The Clerk is directed to send copies of this memorandum opinion and accompanying order to petitioner

ENTER: This 8th day of May, 2015.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE